

McGREGOR W. SCOTT
United States Attorney
KRISTI C. KAPETAN
Assistant U.S. Attorney
4401 Federal Building
2500 Tulare Street
Fresno, California 93721
Telephone: (559) 497-4036

Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

ESTHER SOLEM,)	1:05-cv-0511 AWI LJO
)	
Plaintiff,)	STIPULATION AND ORDER
)	AWARDING EAJA ATTORNEY FEES
v.)	
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	
)	

IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, subject to the approval of the Court, that counsel for plaintiff be awarded attorney fees under the Equal Access to Justice Act in the amount of THREE THOUSAND TWO HUNDRED DOLLARS AND NO CENTS (\$3,200.00). This amount represents compensation for legal services rendered on behalf of plaintiff by counsel in connection with this civil action for services performed before the district court in accordance with 28 U.S.C. § 2412(d).

///

///

///

1 This stipulation constitutes a compromise settlement of
2 plaintiff's request for EAJA attorney fees and does not constitute
3 an admission of liability on the part of defendant under the EAJA.
4 Payment in the aforementioned sum under EAJA shall constitute a
5 complete release from and bar to any and all claims, rights,
6 causes of action, liens or subrogated interests relating to
7 attorneys fees incurred in this action under EAJA.

8 The settlement of plaintiff's claim for EAJA attorney fees
9 does not preclude plaintiff's counsel from seeking attorney fees
10 under 42 U.S.C. § 406 of the Social Security Act, subject to the
11 offset provisions of the law.

12 Respectfully submitted,
13

14 Dated: October 10, 2006

/s/ Robert Ishikawa
ROBERT ISHIKAWA
Attorney at Law

16
17 Dated: October 11, 2006

McGREGOR W. SCOTT
United States Attorney

18
19 /s/ Kristi C. Kapetan
KRISTI C. KAPETAN
20 Assistant U.S. Attorney
21

22 IT IS SO ORDERED.

23 **Dated: October 17, 2006**
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE